

**COMMON COUNCIL MEETING
OCTOBER 7, 2014
7:00 P.M.
ORDER OF BUSINESS**

- I. Call to Order**
- II. Salute to the Flag**
- III. Roll Call**
- IV. Adoption of Agenda**
- V. Proclamations**
- VI. Communications and Presentations: *Rob Spagnola, Recreation Dept.***
- VII. Public Participation**
- VIII. Controller's Report**
- IX. Old Business:**
- X. New Business:**
 - (a) Resolutions**
 - (b) Ordinances**
 - (c) Local Laws:**
 - (d) Introduction of Ordinances:**
 - (e) Introduction of Local Laws**
 - (f) Committee Reports**
 - (g) Scheduling of Committee Meetings**
 - (h) Other**
- XI. Executive Session**
- XII: Adjournment**
 - 6:00 P.M. Recreation** (called by Chairman Russo)
 - 1. RPF Riverlink Park Concessionaire
 - 2. Refurbishing Sircha Park
 - 3. Any other business
 - Public Safety** immediately following Recreation (called by Chairman Russo)
 - 1. Fire Department Overtime
 - 2. Replacement of Police Vehicle (insurance recovery)
 - 3. Any other business
 - Personnel** (called by Alderwoman Beekman and Alderman Barone)
 - 1. Code of Ethics Revision
 - 2. Any other business

RESOLUTIONS

Old Business

None

New Business

59. RESOLUTION ADOPTING MINUTES	BEEKMAN
60. RESOLUTION APPROVING AUDIT	HATZENBUHLER
61. RESOLUTION REGARDING HEALTH INS. TRUCT	HATZENBUHLER
62. RESOLUTION AMENDING BUDGET – ANIMAL CONTROL	RUSSO
63. RESOLUTION COMMISSIONER OF DEEDS	MAYOR
64. RESOLUTION AMENDING BUDGET – ENGINEERING	LEGGIERO
65. RESOLUTION AUTHORIZING RFP’S RIVERLINK CONCESS.	RUSSO
66. RESOLUTION AMENDING BUDGET – SIRCHA PARK	RUSSO
67. RESOLUTION AMENDING BUDGET – DANIELLE’S HOUSE	RUSSO
68. RESOLUTION AMENDING BUDGET – FIRE	RUSSO
69. RESOLUTION AMENDING BUDGET – POLICE	RUSSO
70. RESOLUTION REQUESTING FAIR DIST. USE TAX	ENTIRE CC
71. RESOLUTION APPROVING SUB-RECIPIENT AGREEMENT	MAYOR
72. RESOLUTION APPROVING ENVIRONMENTAL EASEMENT	MAYOR

Ordinances

ORDINANCE AMENDING THE ETHICS CODE	HATZENBUHLER
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**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-59

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETINGS

BY: ALDERWOMAN BEEKMAN

RESOLVED, that the minutes of the Common Council meeting of the September 16, 2014 are hereby adopted.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuehler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-60

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN HATZENBUHLER

RESOLVED, the bills examined by the Common Council and reported herewith as correct and they are, allowed and ordered paid and the City Clerk is authorized and empowered to issue warrants in payment of same.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-61

**RESOLUTION AUTHORIZING FRAMEWORK AND PROCEDURE FOR
DISSOLUTION OF HEALTH INSURANCE TRUST**

BY: ALDERWOMAN HATZENBUHLER

WHEREAS, the County of Montgomery (the “County”) and the City of Amsterdam (the “City”), as Plan Members of the Montgomery County Health Insurance Trust Plan (hereinafter the “Trust”), have determined that it is in the best financial interest of the Plan Members and their respective employees who are covered under an employer sponsored health insurance plan by virtue of his or her employment, to dissolve the Trust; and

WHEREAS, the Montgomery County Board of Supervisors by Resolution No. 68 of 2012 dated February 28, 2012 directed the County representatives on the Trust’s Board of Trustees to vote to dissolve the Trust effective December 31, 2012; and

WHEREAS, the Common Council of the City of Amsterdam by Resolution No. 11/12-199 dated March 20, 2012 instructed its representatives on the Trust’s Board of Trustees to take all steps necessary to wind up the operations of the Trust, account for Trust operations and properly distribute any reserve funds; and

WHEREAS, pursuant to Article XIV of the Montgomery County Health Insurance Trust Plan, the Trust may be terminated by a super majority vote of the entire Board of Trustees, provided, however, that the Trust shall remain in existence for the winding up of its affairs; and

WHEREAS, the Trust Board by Resolution dated November 8, 2012 approved the termination and dissolution of the Montgomery County Health Insurance Trust Plan effective December 31, 2012, provided, however, that the Trust shall remain in existence for the winding up of its affairs; and

WHEREAS, the Montgomery County Health Insurance Trust passed a Resolution on December 30, 2013 approving the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust which is annexed hereto as Exhibit A; and

WHEREAS, the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust requires that the Montgomery County Legislature and City of Amsterdam approve the proposed framework and procedure for dissolution for content and as to form; and

WHEREAS, the City of Amsterdam has reviewed the Trust Board’s Resolution dated December 30, 2013 which contains the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust; and

RESOLVED, the City of Amsterdam hereby approves the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust as set forth in the Trust Board's December 30, 2013 Resolution annexed hereto as Exhibit A both as to content and as to form.

NOTE: It appears to that the proposed distribution plan is not appropriate. First it takes all of the reserve and then distributes it based on the ratio of plan payments. The reserve consists of the difference between plan payments and expenses as related to each individual entity. Therefore each entity has a separately computable reserve. The relative size of the reserves are unrelated to the ratio of payments. Second, the proposed plan states that the debts and liabilities of the trust shall be jointly assumed by the City and County. This should be clarified as these liabilities should be apportioned based on the City's and County's relative participation in the trust. Third, the proposed plan establishes a public notice process for approval of the dissolution plan. This appears to an unnecessary process that will drive up costs and is unlikely to improve the dissolution plan. The public interest is better protected by completing and publicizing the final accounting of the trust. G DeCusatis

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

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Isabel
No

RESOLUTION APPROVING FRAMEWORK AND PROCEDURE FOR DISSOLUTION PLAN

Resolution by Stagliano -

Seconded by Dybaq -

WHEREAS, the County of Montgomery (the "County") and the City of Amsterdam (the "City"), as Plan Members of the Montgomery County Health Insurance Trust Plan (hereinafter the "Trust"), have determined that it is in the best financial interest of the Plan Members and their respective employees who are covered under an employer sponsored health insurance plan by virtue of his or her employment, to dissolve the Trust; and,

WHEREAS, the Montgomery County Board of Supervisors by Resolution No. 68 of 2012 dated February 28, 2012 directed the County representatives on the Trust's Board of Trustees to vote to dissolve the Trust effective December 31, 2012; and,

WHEREAS, the Common Council of the City of Amsterdam by Resolution No. 11/12-199 dated March 20, 2012 instructed its representatives on the Trust's Board of Trustees to take all steps necessary to wind up the operations of the Trust, account for Trust operations and properly distribute any reserve funds; and,

WHEREAS, pursuant to Article XIV of the Montgomery County Health Insurance Trust Plan, the Trust may be terminated by a super majority vote of the entire Board of Trustees, provided, however, that the Trust shall remain in existence for the winding up of its affairs; and,

WHEREAS, the Trust Board by Resolution dated November 8, 2012 approved the termination and dissolution of the Montgomery County Health Insurance Trust Plan effective December 31, 2012, provided, however, that the Trust shall remain in existence for the winding up of its affairs; and,

WHEREAS, upon further review of the financial affairs of the Trust in consideration of the process necessary to wind up the Trust's affairs in an orderly manner, the Trust Board has determined that the dissolution and termination of the Trust cannot reasonably be accomplished by the effective termination date of December 31, 2012 set by the Trust Board in its resolution dated November 8, 2012;

WHEREAS, the Trust Board by Resolution dated December 21, 2012 amended the November 8, 2012 Resolution to set the effective date of the termination and dissolution of the Trust to be a date not later than sixty (60) days after an audit of the financial statements through the end of its financial affairs is completed and all assets and records have been distributed to the appropriate Plan Members and providing nevertheless that the Trust shall remain in existence for the winding up of its affairs; and,

WHEREAS, the Board of Trustees needs to wind down the financial and legal affairs of the Trust, adjust claims, establish reserves, distribute any fund balance and remit the remaining cash deposit to Plan Members and other participants of the Trust;

NOW THEREFORE, the Board of Trustees duly adopts the following framework and procedure for the dissolution, payment of benefits, adjustment of claims and distribution of assets of the Trust.

Effect of Dissolution

The Trust is dissolved for purposes of incurring health benefit obligations effective December 31, 2012 and shall remain in existence for the winding up of its legal and financial affairs including the distribution to each member its cash deposit and pro rata share of any fund balance remaining upon the conclusion of the wind up of the Trusts' affairs;

The Trust shall continue to operate until the effective date of the dissolution specified in the Dissolution Plan.

Purpose of the Dissolution Plan

The purpose of the Dissolution Plan shall be to provide public notice of the terms and information regarding the termination of the Montgomery County Health Insurance Trust Plan (hereinafter the "Trust") and establish a procedure to wind up the Trust's affairs in an orderly manner and is designed to result in the timely payment of all health benefits incurred during the period July 1, 2007 through December 31, 2012, to set a time within which claims must be filed, to pay incurred and acknowledged operating liabilities and expenses incurred during the period July 1, 2007 through when an audit of the financial statements is completed, to establish a cash reserve for payment of contingent and disputed liabilities, claims and expense, cash deposit, and to distribute to each member, its pro rata share of any fund balance remaining upon the conclusion of the wind up of the Trusts' affairs.

Terms and Information regarding the Dissolution Plan

1. "Plan Member" or "Member" shall mean the County of Montgomery and the City of Amsterdam.
2. "Dissolution" shall mean the termination of the existence of the Montgomery County Health Insurance Trust Plan.
3. "Dissolution Plan" shall mean a written document that contains the terms and information regarding the dissolution of the Montgomery County Health Insurance Trust Plan and that has been finalized and approved by the Trustees of the Montgomery County Health Insurance Trust Plan.
4. "Proposed Dissolution Plan" shall mean a written document that contains terms and information regarding the dissolution of the Montgomery County Health Insurance Trust Plan, and that has been proposed, but not yet finalized and approved by the Trustees of the Montgomery County Health Insurance Trust Plan.
5. "Trust" shall mean the Montgomery County Health Insurance Trust Plan.
6. "Reserve" shall mean asset reserve.

Procedure for Dissolution

The Proposed Dissolution Plan shall be reviewed and approved for content and as to form by the Montgomery County Legislature, the City of Amsterdam and the Trustees of the Montgomery County Health Insurance Trust Plan.

1. Proposed Dissolution Plan shall be published as follows:
 - A. Public Notice of Proposed Dissolution Plan;
 - a. No less than five days after adoption of the proposed dissolution plan, a copy of the proposed dissolution plan, along with a descriptive summary thereof, must be displayed and readily accessible to the public for inspection in a public place.
 - b. A newspaper notification of a description of the proposed dissolution plan and a reference to the public place/places where it may be examined must be circulated for four successive weeks in a newspaper.
 - c. A copy of the proposed dissolution plan, along with a descriptive summary thereof and a reference to the public place or places within Montgomery County where a copy thereof may be examined, to be displayed on a website maintained by the Plan Members.
 - d. A copy of the proposed plan shall be sent to any municipal entities whose employees are or were covered under an employer sponsored health insurance plan by virtue of his or her employment

- B. Public Hearing on Proposed Dissolution Plan
- a. A public hearing shall be held no less than thirty-five days and no more than ninety days after commencement of dissolution proceedings. Any interested person shall be given a reasonable opportunity to be heard on any aspect of the proposed dissolution.
 - b. The public hearing or hearings shall be held on notice of at least ten days, but not more than twenty days, published in a newspaper or newspapers having general circulation within Montgomery County and displayed on a website maintained by the Plan Members. The notice of the hearing or hearings shall provide a descriptive summary of the proposed dissolution plan and a reference to the public place or places within Montgomery County where a copy of such plan may be examined.
 - c. After completion of the final hearing, the governing body of the Trust may amend the proposed dissolution plan, provided it remains in compliance with the legal requirements, and is publicized, and/or approve a final version of the dissolution plan, or decline to proceed further with dissolution proceedings. Any approval by the governing body of the Trust of a final version of the dissolution plan must occur within one hundred eighty days of the final hearing.
 - d. No later than five business days after amending the proposed dissolution plan, the governing body of the Trust shall cause a copy of the amended version of the plan, along with a descriptive summary thereof, to be displayed and accessible to the public for inspection in a public place or places within Montgomery County, and cause the amended version of the proposed dissolution plan, along with a descriptive summary thereof and a reference to the public place or places within the entity where a copy thereof may be examined, to be displayed on a website maintained by the Plan Members.

2. Adoption of final Dissolution Plan

- a. After public notice and public hearing, and upon the acceptance of public comment, the proposed dissolution plan may be modified or amended.
- b. Public notice of the Trust's intention to adopt a final Dissolution Plan shall be given pursuant to the procedure set out in the section 1(A).
- c. After notice, a final Dissolution Plan shall be adopted and ratified by the Montgomery County Legislature, the City of Amsterdam and the Trustees of the Montgomery County Health Insurance Trust Plan.

3. Publication of Notice of final Dissolution Plan

- a. No less than five days after adoption of the Dissolution Plan, a copy of the Dissolution Plan, along with a descriptive summary thereof, must be displayed and readily accessible to the public for inspection in a public place.
- b. A newspaper notification of a description of the Dissolution Plan and a reference to the public place/places where it may be examined must be circulated for four successive weeks in a newspaper.
- c. A copy of the Dissolution Plan, along with a descriptive summary thereof and a reference to the public place or places within the entity where a copy thereof may be examined, to be displayed on a website maintained by the Plan Members.
- d. A copy of the Dissolution Plan shall be sent to any municipal entities whose employees were or are covered under an employer sponsored health insurance plan by virtue of his or her employment

4. Public Notice of Time Bar to Claims.

Notice of the following shall be given pursuant to the procedure set out in the section 1(A) of this document;

- i. Failure to timely file claim shall be an absolute bar to future claims;
- ii. The Trust's ability to either sue or be sued shall not be affected by dissolution;
- iii. No part of funds of the Trust shall be subject to the claims of general creditors until all plan benefits and obligations have been satisfied;
- iv. Debts and liabilities of the Trust shall be assumed jointly by the City and County at the end of winding up the Trusts affairs;
- v. .In the absence of fraud, gross negligence or willful misfeasance, no officer or employee of a local government entity shall be held personally liable upon any claim arising from the dissolution the Plan or any circumstances connected with such dissolution.

5. Schedule of Assets and Liabilities

- a. Plan shall prepare schedules of assets and liabilities by member and other participants and in the aggregate that considers:
 - vi. Health and prescription drug coverage claims and operating expense vendors;
 - vii. All claims incurred for the period July 1, 2007 through the effective date of termination.
 - viii. Plan does not have any other assets not enumerated in the attached schedules.

6. Reserves

- a. Plan shall:
 - ix. pay acknowledged liabilities, indebtedness, and expenses; and
 - x. Pay all necessary levy taxes and assessments
 - xi. establish a reserve for payment of contingent and disputed liabilities, claims and expenses
 - xii. Debts, other than health benefits not paid by the reserve from each participant are assumed jointly by County and City.

7. Claims Procedures

- a. For all claims incurred during the period July 1, 2007 through December 31, 2012 the procedures are:
 - i. Claimant must submit in writing all documentation supporting the claim to:
 - Chief Financial Officer
 - Montgomery County Health Insurance Trust
 - County Annex Building
 - P.O. Box 1500
 - 20 Park Street
 - Fonda, New York 12068-1500
 - ii. The propriety of the claim will be reviewed by the CFO. Claimants will be notified in writing if additional documentation is needed.
 - iii. Approved claims by the CFO will be processed for payment in the order they are approved.
 - iv. Claimants will be notified in writing by the CFO if the claim is denied.
 - v. Claimants may appeal their denied claim before the whole Trust Board by making a request to the Trust Secretary for time on the agenda of the next Trust Board meeting.
 - vi. Payment will be made by check.
- b. For claims other than health benefits incurred subsequent to December 31, 2012 and through the end of winding down of its fiscal affairs the claim procedures are the same as listed in 4.a. above.
- c. All claims for health benefits incurred subsequent to December 31, 2012 and through the end of winding down of its fiscal affairs the claim should be submitted to the appropriate responsible party, i.e. County, City or other Trust participant.

8. Distribution of Surplus Reserve Funds


- a. CFO shall compute the total amount of assessments paid by members during the last three fiscal years and the ratio which each members payments bears to the total.
- b. Upon the exchange of mutual releases by the members, the Plan shall pay to each Member that Members pro rata share of the Plan's "surplus assets"
- c. If after three years there is any balance left in the reserve fund established for claims, the Plan shall pay to each member it pro rata share of the reserve fund balance.

9. Distribution of Surplus Cash Deposit

- a. CFO shall, based on the completion of the final audit, distribute the remaining cash deposit to each member and other participants subject to an exchange of mutual releases by the members and the other trust participants.
- b. After three years, upon the exchange of mutual releases by the members, the Plan shall pay to each Member that Members share of the Plan's remaining reserve.

10. Final Audit

The Trust shall complete an audit of the Trust's financial statements in accordance with Government Auditing Standards for the year ended December 31, 2012 and for the period January 1, 2013 through the end of the winding down of its fiscal affairs.


12/30/13
SECRETARY

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-62

RESOLUTION AMENDING BUDGET – ANIMAL CONTROL

BY: ALDERMAN RUSSO

RESOLVED, the Controller is authorized to amend the 2014-2015 budget for receipt of donations for the spay & neutering program for city animals as follows:

INCREASE REVENUE:

A-2705	Gifts & Donations	\$728.06
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INCREASE EXPENSES:

A-3520-4069	SPCA Expense	\$407.71
F-8310-4000.15	Contractual	\$145.61
G-8110-4137.15	Contractual	\$123.77
CL-8160-4137.15	Contractual	\$ 50.96

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuehler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-63

RESOLUTION APPOINTING COMMISSIONER OF DEEDS

BY: MAYOR THANE

WHEREAS, the Common Council is authorized by New York State Executive Law §139 to appoint commissioners of deeds, for a term of two years from the date of their appointment,

RESOLVED, that Daniel B. Roginski, employed with the City of Amsterdam is hereby appointed Commissioner of Deeds for the City of Amsterdam, New York:

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuehler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-64

RESOLUTION AMENDING BUDGET - ENGINEERING

BY: ALDERMAN LEGGIERO

RESOLVED, the Controller is authorized to amend the 2014-2015 operating budget for receipt of insurance monies for hail damage to 2 engineering and 2 codes vehicles, as follows:

INCREASE REVENUE:

A-2680	Ins. Recovery	\$11,505.75
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INCREASE EXPENSE:

A-1990-4036	Contingency	\$11,505.75
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COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuehler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-65

RESOLUTION AUTHORIZING RFP'S – RIVERLINK CONCESSIONAIRE

BY: ALDERMAN RUSSO

RESOLVED, the City Clerk is authoring to advertise for Proposals for the concession at the Riverlink Park in accordance with the attached Requests for Proposals.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

Dated: _____, 2014

Dated: _____, 2014

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-68

RESOLUTION AMENDING BUDGET – POLICE DEPARTMENT

BY: ALDERMAN RUSSO

RESOLVED, the Controller is authorized to amend the 2014-2015 operating budget for insurance recovery to replace vehicle as follows:

INCREASE REVENUE:

INCREASE EXPENSE:

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-70

RESOLUTION REQUESTING FAIR DISTRIBUTION OF VEHICLE USE TAX PROCEEDS

BY: ENTIRE COMMON COUNCIL

WHEREAS, Montgomery County is considering levying a vehicle use tax that will be collected with vehicle registration fees by the Department of Motor Vehicles, and

WHEREAS, Montgomery County intends to use these funds for the repair of county roads, and

WHEREAS, the various villages and the City of Amsterdam have almost no county roads within their municipal boundaries, and

WHEREAS, the bulk of the population of the County is concentrated within its villages and the City of Amsterdam and this population will likewise pay the bulk of the vehicle use tax, and

WHEREAS, the proceeds of the vehicle use tax should be fairly distributed to help pay for road maintenance in the various villages and the City of Amsterdam, now therefore be it

RESOLVED, that Common Council requests that the County Legislature adopt a fair distribution plan for the proceeds of the vehicle use tax, and be it

FURTHER RESOLVED, that an example of such a fair distribution plan would be to calculate distributions based on the relative populations of the various towns, villages and the City of Amsterdam with a reducing offset for any amount a municipality might be receiving under county road maintenance contracts.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-71

BY: MAYOR THANE

A RESOLUTION AUTHORIZING THE CITY OF AMSTERDAM TO ENTER INTO THE REQUIRED SUBRECIPIENT AGREEMENT WITH THE HOUSING TRUST FUND CORPORATION AS REQUIRED IN THE IMPLEMENTATION OF THE NY STATE COMMUNITY DEVELOPMENT BLOCK GRANT—DISASTER RECOVERY (CDBG-DR) PROGRAM; AND, TO AUTHORIZE THE MAYOR TO SIGN ANY AND ALL DOCUMENTS REQUIRED IN THE IMPLEMENTATION OF THE PROGRAM.

WHEREAS, in the aftermath of Superstorm Sandy, the United States Congress, through Public Law passed the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013), as amended (the “Act”), appropriating \$16 billion, later reduced to \$15.18 billion, to the U.S. Department of Housing and Urban Development (“HUD”) for Community Development Block Grant Disaster Recovery (“CDBG-DR”) funds for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure, and housing and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared due to Superstorm Sandy and other eligible events, including Hurricane Irene and Tropical Storm Lee, in calendar years 2011, 2012, and 2013 (the “Storms”), subject to the Federal statutes and regulations governing CDBG grants, as modified by exceptions and waivers previously granted and which may hereafter be granted by HUD; and,

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 14,329), published March 5, 2013, titled, “Allocations, Common Applications, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy (as amended),” the State has received an allocation of CDBG-DR funds from HUD in the amount of \$1,713,960,000; and

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 69,104), entitled Second Allocation, Waivers and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy (as amended),” the State has received a second allocation of CDBG-DR funds from HUD in the amount of \$2,097,000,000; and

WHEREAS, HUD requires the State to spend 80% of all CDBG-DR funds so allocated within the counties of Nassau, Rockland, Suffolk, Westchester, Bronx, Kings, New York, Queens, and Richmond; and

WHEREAS, in accordance with HUD directive, the City of Amsterdam has been notified of its ability to participate in the NY State Community Development Block Grant--Disaster Recovery (CDBG-DR); and

WHEREAS, implementation of the CDBG-DR Recovery Program requires the execution of the Subrecipient Agreement between the City of Amsterdam and the Housing Trust Fund Corporation, which will be substantially similar to the Subrecipient Agreement Template attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED that, the Mayor is hereby authorized to enter into the required Subrecipient Agreement with the Housing Trust Fund Corporation to secure Community Development Block Grant—Disaster Recovery (CDBG-DR) funds; and, to sign any and all documents required in the administration of the New York State CDBG-DR Recovery Program.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-72

**RESOLUTION AUTHORIZING GRANT OF ENVIRONMENTAL CHALMERS
PROPERTY**

BY: ENTIRE COMMON COUNCIL

WHEREAS, completion of the remediation of the Chalmers Property requires the granting of an environmental easement to the State of New York to document the environmental controls required at the site, now therefore be it

RESOLVED, that Mayor is authorized to execute an environmental easement for the Chalmers Property.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014